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June 9, 2020

The Honourable Justice Code
Ontario Superior Court of Justice

Re: MINASSIAN, Alek
DOB: November 3, 1992
Charges: First Degree Murder x 10; Attempt Murder x16

Your Honour:

You have requested that I conduct an independent psycholegal assessment of Mr. Minassian in order to determine whether or not he would have a defense of not criminally responsible (NCR) due to mental disorder available to him, from a psychiatric perspective, regarding the above-noted charges.

In order to assist me with my assessment, I was provided with voluminous materials. I have listed those materials in the attached Appendix A – Index of Materials. I also downloaded a copy of the manifesto by Elliot Rodger, *My Twisted Life* and reviewed it, given Mr. Minassian referenced it extensively in both my own interviews with him and during his other interviews.

In addition to those materials, I arranged for a social worker, Ms. Angele Boudreau, MSW, RSW, to gather further collateral information from Mr. Minassian's family. She also attempted to reach his friend Mr. Saldua but was unable to speak with him. I have appended her full report dated March 11, 2020. I also arranged for Mr. Minassian to undergo a psychological assessment. I have appended Dr. Wright's full report dated March 20, 2020 but will also summarize key sections in the report below.

For the purpose of this report, I have chosen to include below primarily information gathered by this writer, Ms. Boudreau and Dr. Wright although I have referenced other information at times. My full review of the collateral information is contained in a separate document, Appendix B – Chronological Synopsis of Collateral Material, which I have appended as well to this report.

As a result, most of the information noted below was derived from my interviews with Mr. Minassian unless otherwise specified.

PRELIMINARY CAUTION

I met with Mr. Minassian on the following dates: October 24, 2019 for 3.75 hours; October 25, 2019 for 3.0 hours; November 14, 2019 for 3.0 hours and November 21, 2019 for 2 hours. He was cautioned regarding the limits of confidentiality and that any information he provided could form part of this report to court and thus would not be considered confidential. He appeared able to understand nature of the caution and agreed to participate in the assessment. He was also advised he did not have to answer questions and that he could speak to his lawyers if unsure whether to answer specific questions or not. Prior to beginning the assessment, the assessment process was described in detail.

Mr. Minassian was well aware of the nature of the assessment and of the consequences of being found NCR. He stated he had always assumed that it would be better to be in hospital than in jail.

He wished to speak with his lawyers before providing permission for individuals to be contacted for collateral information. I contacted counsel, Mr. Bytensky during our third interview in this regard—he then spoke with his client privately by telephone. Mr. Minassian subsequently provided his consent for a number of individuals to be contacted by my staff.

Dr. Andrew Wang, resident in forensic psychiatric, was present as an observer during the first two interviews. Dr. Clayton Law, psychiatric resident and Ms. Angele Boudreau, social worker, were both present during the last interview.

PAST PERSONAL AND DEVELOPMENTAL HISTORY

Mr. Minassian was a 26-year-old male at the time of the assessment. He was single and had no children. He was living at home in Richmond Hill with his parents and his older brother (30 years old) prior to his arrest. He had just completed his coursework for his software development degree at Seneca. He was not working at that time and was financially supported by his parents.

He has been in protective custody throughout his stay in jail. He noted that during his brief encounters with other inmates, they shouted at him, which included insults and banging noises.

Early Childhood:

Mr. Minassian was born in North York, Ontario. He was the product of a normal pregnancy and delivery. He was told he reached physical milestones at normal times but was delayed in speaking. He stated he was speaking fully by age 4-5; he did not recall exactly when he started to speak.

Mr. Minassian's mother is 58 years old and has worked for the last 20 years at an IT company, reconciling commissions of the salespeople. He described his mother as "usually friendly, fair…if I did something wrong, she would point it out…my Dad usually did the disciplining." He stated she was affectionate with him; he felt loved by both his parents. He indicated she would discipline him by removal of privileges. He was never physically disciplined by her.

Mr. Minassian's father is 59 years old and works as a software developer. He described him as "fair, somewhat strict, but he would joke around, we would go bike riding." His father was affectionate with him; Mr. Minassian reported enjoying physical affection from both his parents. He stated his father would usually discipline him by removal of privileges as well.

His brother, [redacted], is three years older. He lives with their parents and has worked in the insurance industry. He is single and has no children. Mr. Minassian reported a good relationship with [redacted] growing up and at present.

Mr. Minassian reported receiving visits from his parents and his brother at least once a week. When asked about the impact of his charges on his family, he stated, "they never really talk about that…but the first few times [visits] I could see the look of sadness on their faces." He was not aware of any other way his actions had affected them.

When asked if he thought about the impact of his actions on his family prior to the offenses, Mr. Minassian stated he knew they would be shocked.

> "[I] put those thoughts aside because I really wanted to go through it [because?] Because I was nervous about starting the job and screwing it up…and I wanted the recognition, to be tied specifically to the Incel movement…I wanted the notoriety…not only for the killings but I upgraded it by being associated with this group [the Incel group]…if I went out and killed people without any reason, then I'm just an average mass killer but if I say something on a large social network platform, then I tie myself into some other big-time names…increase my fame and infamy regarding the killing."

Regarding his relationship with other children growing up, Mr. Minassian noted he was always nice to others but was bullied at times by his peers. Between Grades 1-3, he was physically bullied by an older boy; at all other times, he was verbally bullied, being called names and being asked to do silly acts (e.g. they would tell him to stand

up and "hump the wall", which he would do). He stated he would do this both because he was scared to say no and also because he wanted the attention—"it was better to have negative attention than for people to ignore me." He acknowledged that this was similar in some ways to his index offenses (killing people to gain attention, even if negative).

Mr. Minassian reported having a close friend between Grades 1-5; they remained in contact until mid-college. He had a few other friends at times, with whom he remained friends until the end of high school.

Prior to high school, he reported being very focused on videogames—"they were pretty much the only interest I had…along with watching Pokémon on TV." In high school, he increased his interest in videogaming, mainly playing Halo and Runescape, playing both as a single player and in online games.

When prompted regarding any other specific interests, Mr. Minassian noted he might become very interested in specific topics. He noted he became interested in school shootings after the Virginia Tech Massacre in his teens. He noted over 20 people were killed, including the shooter. He recalled that after the massacre, everyone was very "sombre"; he began following this on Wikipedia. Mr. Minassian stated he was initially interested because "it was very dangerous…" Over time, near the end of high school, when feeling depressed, he would repeatedly look up school shootings [approximately once per month], looking at how many "kills" the person got. He also became interested in Encyclopedia Dramatica, which also discussed shootings. Mr. Minassian noted he began to fantasize about doing a school shooting in the last two years of high school but never took any steps. He thought about getting back at two people who had teased him and also liked the idea of the tension it would cause at school and the notoriety he would receive. Mr. Minassian stated he never went through with it because he did not know how to illegally obtain a gun and also did not have the will to do it at that time.

When asked about other specific interests in childhood, he once again noted he was mainly fixated on videogames, primarily Pokémon.

In adolescence, Mr. Minassian noted the presence of some behaviours, including shifting his arm forward "an even amount of times…in multiples of four", to get rid of "some dirt or germ inside of me…" When feeling tense he indicated he might do this multiple times in a few minutes. He also reported slowly letting spit come out of his mouth often throughout the day (once every ten minutes) from Grade 11 onwards, including in class. Sometimes he would spit on his clothes, leaving a wet spot. He noted he would be feeling as though he had something in his mouth (e.g. a rock). He also reported repeatedly cracking his knuckles once a day to relieve stiffness as well as chewing his tongue/the inside of his cheek. He also recalled repeatedly bending his right middle finger in Grade 10-12, leading to a callus on his

palm—"I just had to do it…" As well, he reported repeatedly clearing his throat loudly for up to 20 minutes, mainly in Grade 8-9. He was told he had to stop and was able to switch to other "tics". He denied any other vocal tics.

Mr. Minassian stated Dr. Friedman first saw him at age 15-16 after his mother told him she could see his tics. Dr. Friedman informally acknowledged the presence of tics but did not offer any diagnosis.

Mr. Minassian indicated that while in school, he had one close friend with whom he played. When his friend was not around, he would feel lonely. He never made an attempt to engage with the other children but hoped that they would want to play with him. He stated he first became aware of children reacting negatively when he did something "antisocial…picking my nose or said something odd with realizing it…." He became aware of this at age seven while in Grade 2.

Mr. Minassian denied experiencing any symptoms of conduct disorder in childhood or adolescence.

Collateral Information

Collateral information (see Appendix B) indicated Mr. Minassian was noted to struggle from as early as age two, both regarding banging his head and regarding difficulties with social engagement with others, both in the community, at school and at home.

His family described bizarre behaviours later on including licking the table and spitting on walls at night in the home and while at school. Mr. Minassian was also noted to be fearful of women both in the community and at school.

Education History:

Mr. Minassian noted that he was diagnosed with a pervasive developmental disorder (PDD) at approximately age five. As a result, he was placed at Giant Steps in Toronto, where autistic children receive additional treatment to build verbal and social skills. He received speech therapy and treatment to assist him in reading people's facial expressions. He remained in the program until age nine; he noted began attending a public school in Grade 1, concurrently with this program. Mr. Minassian began attending regular stream school full-time in the last two months of Grade 4. By Grade 6, he was began receiving assistance from a special education educator and had an Individualized Education Plan (IEP) on the basis of a diagnosis of autism. He continued in regular school but with the assistance of a special education educator until he completed high school.

In Grade 5, Mr. Minassian's parents signed him up for a sports program with other children from the Giant Steps program. He did this for a few weeks or so.

Mr. Minassian completed high school; he never failed a year but did take five years to complete it. He reported receiving generally higher grades in math and lower grades in English and history. He stated he had approximately a 70% average at the end of high school. He received accommodations to take extra time on exams and was also allowed to type.

Mr. Minassian was never placed in behavioural classes. He once received a one-day suspension from an afterschool daycare in Grade 3; he was eight years old at the time. He indicated he was randomly shouting out swear words. He was never expelled.

Mr. Minassian described both good and bad aspects of school. He enjoyed getting to choose courses in high school; the negative aspects were the stress of homework, assignments and tests. He was also teased in high school when he acted "goofy." He described how he always used a "silly" voice rather than his normal voice—"it was kind of a mask I was putting on…they make fun of me anyway, so make fun of the façade rather than the real me…" He would also say "silly stuff" which included repeatedly stating "80 + 80 = 55" using a high voice and a "horse laugh". Some of this was just to get attention.

After finishing high school, Mr. Minassian attended Seneca College in IFS (Informatics and Security) from 2011 to 2012, before switching to a Bachelor of Software Development in 2013. He eventually completed this course in 2018 after having taken a break both to work and to enter army training.

While at Seneca College, Mr. Minassian denied having any issues. He noted software developers were nerdy, with his feeling he fit in better stating he was not teased. He denied any involvement in altercations or negative feelings towards others while there. He reported receiving higher grades in college than he did in high school, getting usually Bs and As.

<u>Collateral Information</u>

Mr. Minassian was placed in the Giant Steps program for students on the Autism Spectrum beginning in Grade 1 and continuing thereafter for several more years.

During high school, he continued to require extra support through the special education program. He did well in math and sciences but struggled in classes like history and English. Mr. Minassian wrote in essays on several occasions about his using a "silly voice" and pretending to be afraid of girls.

Mr. Minassian wrote numerous essays for school which were found on his computer. Several essays dealt with ethical issues, such as stealing, breaking someone's windshield, should parents have the right to spank their children, friends using drugs, cheating in high school, and "Murder Is Wrong". Some of these clearly demonstrate his ability to consider the wrongfulness of one's actions (e.g. stealing – V71) and the potential consequences for that individual. In one essay "Murder or Self-Defence", Mr. Minassian provided a detailed understanding and analysis of a Supreme Court of Canada decision and various legal concepts (e.g. the right to remain silent and not incriminate oneself). (V76) In another, Mr. Minassian wrote about the rights of an accused. (V80) He also wrote an essay exploring provocation and automatism in a murder trial (R. v. Stone – V63).

Employment History:

Mr. Minassian noted he volunteered at age 15 at Compugen (where his mother is employed) two days a week for the entire summer. He found it "a bit dull but I didn't mind."

He also worked in 2013-2014 at a co-op placement through Seneca College doing coding and fixing existing programs. He noted he was mostly alone, not interacting much with others and completed the one-year contract.

During the summer of 2015 (May to August), he worked at OMERS, a pension fund company, doing quality assurance of their website. He found the work "repetitive but I didn't mind." He denied receiving any complaints.

His first full-time job was in May 2016 with a financial systems company, doing quality assurance, as described further below.

Mr. Minassian also reported enlisting in the Canadian Armed Forces; this is discussed at greater length below under "Index Offenses", along with his account of other work experiences including his offer of employment just prior to the alleged offenses.

Relationship History:

Mr. Minassian never dated in high school or thereafter. He did ask a woman out in college after meeting in the library. They went for a walk the next day but then she stopped responding to his texts and emails. He reported feeling disappointed and sad. He asked another two women out but was rejected each time. Mr. Minassian denied engaging in any significant stalking behaviour beyond googling the first woman's name.

Mr. Minassian denied any specific focus on any woman while in college. He did have "crushes" on two girls in high school, fantasizing about having sex with them. He once again denied taking any active steps to stalk them or find out more about them. He did recall later opening a Facebook account in college, in part to look up their names. He did not find "that much interesting."

Mr. Minassian identified himself as heterosexual [redacted]

Mr. Minassian attributed his lack of success with partners to his being shy and having difficulty beginning conversations. He noted he went on websites (Forever Alone and Reddit) that complained negatively about women to make himself feel better (e.g. that women were "slutty" or only went after guys with money or a six-pack.) However, he knew that this was not the whole story about why some men were not successful but it helped him to forget that it took effort on his part to be in a relationship.

Mr. Minassian stated he did fantasize about being in a romantic/sexual relationship; he stated the reason he was not in a relationship was because he had no one with whom to hang out. He once again referenced being shy and having difficulty initiating conversation.

Mr. Minassian denied any strong feelings of anger/hatred towards women, despite spending time on sites that strongly expressed these sentiments. "I was annoyed at them [women]…but there was no full-fledged rage towards women in general…"

Mr. Minassian noted he only began thinking about having a girlfriend in college for romantic and sexual purposes. Romance would involve holding hands, being affectionate, walking in the park, touching her hair. Sex would involve vaginal, oral and anal intercourse. He stated he had no real preference among these acts. [redacted]

He stated he never thought about marriage or children.

When asked about his own views regarding women, Mr. Minassian stated once he began going to sites such as Forever Alone, Incel and the Red Pill, he enjoyed reading the comments there and would read them over multiple times. He indicated he enjoyed reading the very negative comments about women, describing it as relieving to have some kind of explanation for why women weren't having relationships with men. Mr. Minassian stated he did enjoy reading the mean, hate-filled comments towards women. "The people who had once short-changed me were

being put down" He stated he first discovered these sites at age 22 in 2015, while in college.

While in high school, Mr. Minassian recalled being more annoyed by women speaking/laughing; he struggled to articulate what exactly about this annoyed him.

When viewing the websites in college, Mr. Minassian noted he kept this private, knowing others would not like this (both men and women) and they might stop talking to him. Mr. Minassian stated when reading the websites, he was thinking about women in the abstract.

When asked if he thought of himself as misogynistic (he was aware of the meaning of the term), Mr. Minassian stated he never thought he was either misogynistic or not. He did report being "annoyed" by the fact that he could not form a relationship with a woman but denied being aware of any strong feelings of anger or rage directed at women in general.

When asked again whether he was targeting any victims specifically by age or gender during the alleged offences, Mr. Minassian denied this, thinking he would get a roughly even split. He would have preferred to have had more female than male victims but was not aware of any location where he might be able to more effectively target women only.

Mr. Minassian denied any interest in targeting any specific group of individuals (e.g. African-Americans, Asian individuals, etc.).

When asked if he would have postponed his attack had a woman shown interest in him, Mr. Minassian thought he might have postponed it "for a while." He stated if he had been in a relationship and it was going well, he might not have wanted to complete his attack. However, if it was not going well, he lost his job or things were otherwise not going well, he would have "most likely" gone forward with the attack.

When asked to attribute percentages to motivations for the attack, Mr. Minassian estimated 35% related to anger at women, 30% related to "screwing up socially or performance-wise at work"; and 30% not wanting to "rot in obscurity" and 5% just wanting to do "something like this anyways…." Mr. Minassian noted he had intermittently thought about doing something like this [a shooting or a mass killing] for so long, that not doing it would feel like "backing out…I would have felt like I was quitting, that I didn't have the courage…."

When asked about his comments about loneliness being one of his reasons for the attack, Mr. Minassian stated that would account for "maybe 10-15%...just scale the others down proportionately."

Mr. Minassian noted the phrase "rot in obscurity" came from Elliot Rodger's manifesto; at the same time, he felt it reflected his feelings well—that it was better to die as a famed killer than die "and everyone forgets about me as soon as I die."

Mr. Minassian stated he strongly felt that he was not going to do well in his job and that he would be forgotten even more quickly than other people. When asked if he felt he deserved more than that, he stated, "It's just like I would rot in obscurity and I feel like that is bad."

Mr. Minassian indicated he did not believe in an afterlife. Despite this, he again noted there was "a small part of me that wanted to do a mass killing anyway."

When asked if killing people felt the way he thought it would, Mr. Minassian stated he just felt blank; he noted he was focused on trying not to crash the car. He noted he did not really imagine his emotions beforehand.

When asked to reconcile his resentment with women with wanting to have a relationship with women, he noted these were not conflicting. Mr. Minassian stated, "because I wanted the relationship so badly, I was feeling upset when they did not offer a romantic/sexual relationship…" He indicated he was both disappointed about not being in a relationship and was disappointed in himself as well. When feeling resentful, Mr. Minassian stated it was more feelings of sadness than anger or wanting to do something.

Self-Concept:

When asked to describe himself, Mr. Minassian struggled to articulate this. He eventually offered, "well, I have never scammed someone or done something behind their back. I hung out with people because I enjoyed hanging out with them…I can't think of anything else." He felt others would describe him as "quiet but nice…the people in high school who were not my friends, might say I was a little weird… people might also say I was honest."

When asked what he would change about himself, Mr. Minassian stated he would like to be more outgoing and positive. He rated his self-esteem as a 5/10 overall, feeling good about his programming abilities (8/10) but only a 2-3 for his people skills. He eventually added he would like to be more assertive.

When asked about his longer term plans, Mr. Minassian stated, "I am probably going to be in prison ten years from now…even if I was in a mental institution, I will still be there also…I doubt I would be released."

PAST MEDICAL HISTORY

Mr. Minassian denied any acute or chronic illnesses. He had his wisdom teeth removed and had an abscess removed surgically from his tailbone, both in 2012.

He did not report any known allergies to medication.

He denied any history of loss of consciousness, head injury, or seizures.

Medications at Time of Assessment:

• Nil

FAMILY HISTORY

Mr. Minassian was not aware of any family history of psychiatric illness, alcohol or drug-related issues, suicides or arrests.

Collateral information:

Collateral indicated his brother suffered from tics and other family members had OCD.

PAST PSYCHIATRIC HISTORY

Self-Report:

Mr. Minassian recalled being diagnosed at age five with a Pervasive Developmental Disorder; he did not personally recall the appointment and or having any ongoing treatment beyond being placed in special education in school and having an IEP.

He reported next being seen by a pediatrician, Dr. Freidman in 2008 at a walk-in clinic at Yonge and Clark (when he was 15) regarding tics (as described) at school. He was not sure of any official diagnosis but was prescribed clonidine. He found this helpful but it made him drowsy at school. He continued to see Dr. Freidman every 2-3 months. He took clonidine for 2.5 years until 2011, when he was switched to Abilify twice daily. Mr. Minassian felt this was more helpful with his tics and he did not get drowsy any longer. He continued this for 4-5 months and stopped it when he began college.

Mr. Minassian felt neither clonidine nor Abilify had any effect on his experience of fantasies involving school shootings. He did not feel Abilify had any other impact aside from helping with tics. Mr. Minassian noted he never disclosed his fantasies involving shooting others to anyone prior to his arrest. He never thought about seeking any psychiatric assistance regarding his fantasies. Noting first that it never

occurred to him but then stating he was concerned someone might call police and the police might put him in jail.

He did not see any other mental health professional after beginning college and stated his parents never suggested he do so.

Mr. Minassian denied ever having experienced low mood for more than a few hours and certainly not for weeks to months. He also denied experiencing any symptoms of mania lasting longer than 30 minutes at a time.

Since his arrest, Mr. Minassian was not aware of receiving any specific diagnosis nor having been offered/suggested or prescribed medication. He noted he had never requested psychiatric medication but did request Motrin on three separate occasions for pain/feeling sick.

He was not receiving any medication at the time of this assessment

He reported never having undergone a CT scan of the brain or an EEG.

Collateral Information

For complete details, please refer to Appendix B. I have highlighted briefly below information relating to his psychiatric assessments and note that information was largely in keeping with his self-report above.

He appeared to have been first assessed at age four by a pediatrician regarding language and social delays. A diagnosis of Pervasive Developmental Disorder (PDD) was queried at that time.

Mr. Minassian was assessed the following year at the Markham Stouffville Hospital and a working diagnosis of PDD was offered once again.

His parents reported he was diagnosed with Autism Spectrum disorder and Tourette's Syndrome around age ten (2002).

In 2008, Dr. Friedberg treated Mr. Minassian with a small dose of clonidine, noting he was a 15-year-old boy with Asperger's syndrome who also had had tics for one year. Mr. Minassian was also noted to have obsessional behaviours, including the need to get rid of spit from his mouth and scratching his nose in a very repetitive manner. By 2011, Dr. Friedberg noted Mr. Minassian's tics had improved with Abilify although this was later discontinued due to oversedation. He continued with clonidine until 2012, at which time it was also discontinued due to it being ineffective.

Dr. D. Birnbaum wrote a letter in 2012 in support of Mr. Minassian receiving academic accommodations at Seneca College, noting diagnoses of Tourette's Syndrome and PDD.

Mr. Minassian underwent an MRI of the head while being assessed by Dr. Bradford as part of these proceedings; the results appeared to be within normal limits.

HISTORY OF ALCOHOL AND SUBSTANCE USE:

Mr. Minassian reported beginning use of alcohol in his teens (a sip of beer from his father's glass) but did not drink more significantly until he reached age 19. Thereafter, he reported drinking one beer or glass of wine every two weeks. He denied any history of heavier alcohol use. He denied any history of blackouts, being sick after drinking, drinking to start the morning or to get rid of a hangover. No one ever identified his alcohol use as problematic and he denied any dysfunction associated with the same. He has never received any treatment for alcohol or drug problems.

He denied any use of street drugs or any misuse of prescription drugs.

Collateral Information

Collateral information was in keeping with his self-report.

PAST LEGAL HISTORY

Young Offender History:

Nil prior.

Adult History:

Nil prior.

INDEX OFFENSES

Mr. Minassian is currently facing charges of 1st Degree Murder x 10 and Attempt Murder x 16. Mr. Minassian allegedly rented a van on April 23, 2018, subsequently driving it down Yonge Street in Toronto, striking numerous individuals with the van, leading to 10 deaths and 16 other individuals being seriously injured. He was arrested at the scene after attempting to induce police to shoot him. The details relating to these alleged offenses is well-known to the Court and will not be repeated here. I would note that Mr. Minassian's account was largely in keeping with what is otherwise known regarding the attack.

Self Report:

During our first interview, Mr. Minassian reported feeling lonely in the months/years leading up to the offenses. He recalled seeing couples at college holding hands and saying "silly" things to one another. He stated when stressed he began thinking about "doing something" intermittently going back to high school. Mr. Minassian reported having read about school shootings and stated he imagined doing the same himself at times although he did not actually plan to complete this. When asked about his motivation at those times, he reported believing it would have "certain results…I knew there would be a lot of media attention and Wikipedia and it would be on the internet." Mr. Minassian agreed that a desire for attention/fame was "one of the factors". He also noted that he was occasionally bullied in high school (not physically). He noted he would deliberately act "weirdly" at school, leading to others making fun of him. He still had a few friends. Mr. Minassian stated the purpose of a school shooting was to get revenge on the bullies. At the same time, he stated in his imagination, he thought about shooting indiscriminately and getting a "large body count"—"it would have felt good…". Mr. Minassian noted there were websites comparing school shootings where there was higher praise/grades for those who killed more people. [Encyclopedia Dramatica website].

When asked what prevented him from acting on these fantasies, Mr. Minassian stated he did not know how to get a gun either legally or illegally. As well, he was still focused on future achievements such as finishing school and going to college. He indicated he was also able to take his mind off of things by playing videogames. He noted some were violent but stated he also played puzzle games and racing games. Mr. Minassian did not link the violent video games to his fantasies.

When Mr. Minassian started college at age 18, after the first six months his thoughts of completing a school shooting "mellowed down." He stated that no one was bullying him, he was not at school all day and he found the courses less stressful. However, he did continue to have fantasies involving shooting people at school every two months or so but much less so than while in high school (every 2-4 weeks). He also noted he had a "fresh start" and was socializing more than in high school. He stated 90% of the people in his course had the same "nerdy interests…it was more fun."

College went fairly smoothly, with his passing all his courses initially. He was in college from 2011 to April 2016, taking somewhat less than a full course load. His last semester was supposed to be winter of 2016. He was taking three courses but was not taking them seriously and began applying for various jobs. By the end of February, he realized that he was not going to pass the courses. His plan was to indicate he would complete the coursework in his work applications—but he did

not actually plan to do so. Mr. Minassian felt he had "pigeon-holed myself into a corner and had to do that." He dropped one course officially and stopped attending the other two courses.

By the end of April, Mr. Minassian was offered a job at "TooGood Financial Systems" in quality assurance, running tests in web applications. He worked there from May to mid-October in 2016, at which time he was fired for playing videogames at work—"I ignored the warnings." He was doing very repetitive tasks that only took about two hours of each day. He would spend the rest of the time playing games, he stated he was "extremely addicted" to playing the game Runescape.

After he was fired, Mr. Minassian told his parents about it and then played games for the next week. He decided he needed to do something else; he had modified his resume to say he had completed his degree. He was concerned about having to explain why he got fired. By December 2016, he realized he was not getting any job offers and decided to join the military.

[Mr. Minassian noted at this point he had told the police officers some "outlandish stuff", including that he had communicated with Elliot Rodger and Chris Harper Mercer. As well, he stated the incident from 2013 where he reported being rejected by a girl at a party was actually from Elliot Rodger's manifesto and had not happened. He also recalled telling police that he had played violent video games to get out "my violent urges" but stated this was not true—he just wanted to tell the police "something silly", feeling it would not matter at that point. He did not recall any other lies he told police at that point.]

Mr. Minassian stated that joining the military was just for a job. He did eventually, and somewhat reluctantly, acknowledge thinking about some "cool stuff" about the military, including learning about weapons. However, he denied this was part of any larger scheme to train himself for a shooting.

Mr. Minassian eventually signed up for military enrolment in January 2017; he had to complete some forms, complete an eye test and a physical as well as the CFAT (the Canadian Forces Aptitude Test). He had an interview in February or March 2017 and signed additional forms. He was eventually accepted to the military in May and scheduled to start Basic Military Qualification in September 2017.

During January to May of 2017, he was "physically training"; he was not working. Mr. Minassian stated he was excited about the "fresh start" in the military and was not fantasizing about shooting others. He kept on training during the summer and was playing computer games. He did still occasionally look up information on the internet about school shootings and on Elliot Rodger—"I have read his manifesto several times." He first began reading about him in winter/spring of 2016.

Mr. Minassian began his military training but within two weeks he realized he was completely unprepared for some parts—e.g. that he had to go bed/rise at specific times, leaving him unable to complete his work (e.g. sewing labels on his clothes). Mr. Minassian requested to be voluntarily released at that time. He told his supervising officer he found it too stressful. He remained there for another few days before the military agreed to his release and was ultimately released completely by October 19, 2017. He then returned to his family home in Richmond Hill. Mr. Minassian recalled feeling very disappointed in himself, and thought his family would also be unhappy/ disappointed that he had "quit once again." However, he noted they did not actually appear disappointed in him, were supportive and came and picked him up in Quebec.

Mr. Minassian spoke with his father and decided to complete his computer programming degree. He noted he had lied to his parents about the two courses he failed; he disclosed this to them when registering again in December 2018. He stated his father just "sighed but did not really get angry."

Mr. Minassian began his Seneca courses in January 2018. During this time, he had heard about all "these vehicle ramming incidents", mainly in Europe. He was reading about this on the internet. By March, Mr. Minassian was trying to decide if he wanted to complete a mass killing, specifically in the form of a "vehicle ramming attack." He decided he did want to do this by the end of March 2018. Mr. Minassian stated he was motivated to do this because he was feeling lonely and had read Elliot Rodger's manifesto several times. He had also watched Elliot Rodger's YouTube videos several times, and had been reading about other guys complaining about not having girlfriends (some were on Reddit and some on other forums). He also noted he had been accepted for a job in March which was to start after he finished his exams in April in software development. He reported feeling nervous about "screwing up on the job and this was my last chance—I would be completely unemployed."

Mr. Minassian stated, "I was worried about failing anyway and decided before I get the opportunity to screw up socially or otherwise, I will do something [i.e. a mass killing] that will gain me notoriety."

He reported not wanting to go through "that two week waiting period where my parents were extremely disappointed in me [due to being fired again]." More practically, he stated that the method of killing he had chosen required using a rental truck and he was concerned that if he did not have a job, he would not be allowed to rent a truck, although he later realized this did not matter.

Mr. Minassian also stated he felt the need to "do this [the mass killing] as soon as possible because I wanted, I was so scared of having an awkward encounter at work."

Mr. Minassian wanted to emphasize that the primary reasons for his actions were the loneliness, the impact of seeing mass shootings online and the influence of Elliot Rodger.

Regarding his loneliness, Mr. Minassian noted he wanted a girlfriend and felt sad that he did not have one. He felt the mass killing was a "way of getting back, at society in general, if I am going to lose anyway—not having a job, not having a girlfriend, having an extremely small social circle."

Mr. Minassian also noted that he was aware that people who committed mass killings gained notoriety, "that this person did this really big thing." "Even if you die, your name is still remembered and circulates on the internet…if you are dead, you become martyrized and it just adds to notoriety." Mr. Minassian indicated he intended to die as part of his van attack, by forcing police to kill him. He stated his primary reason for intending to die was to avoid prison but also because he was sad and lonely and just wanted to do this "big act" before he died.

Mr. Minassian acknowledged also feeling "a bit" angry about not having a girlfriend but stated he was primarily "jaded…like you are bitter, you now see the negative, you are cynical and don't see the good anymore." He stated he became jaded "by the end of college, there was nothing new, people were talking to me less, I had no friends to talk to."

Regarding being influenced by seeing mass shootings online, Mr. Minassian stated he knew most offenders were young, male, single, isolated and that he could identify with them. "It is basically another high school student experiencing the same frustrations as me. In my head, I was kind of cheering them on, an underdog kind of thing, seeing the underdog that I am rooting for beating the much bigger opponent." Mr. Minassian stated it also helped to see "how to do it…little things. For example, if I had a gun and was shooting up a school, don't get too close to people because someone could disarm you." He noted he was reading about shootings both to learn how to be effective but also to enhance his fantasies about committing a mass shooting. Mr. Minassian once again stated, "I could identify with them and liked what they were doing."

Mr. Minassian was aware that most people thought the people who committed mass shootings were "despicable", especially those who were closely affected, e.g. family of the victims or close friends. "Most people are going to think that mass shootings are totally senseless and no one is going to have any sympathy for the problems I have [and those of the mass shooters]." He believed at the time of his offenses that most people in the public would view both mass shootings and his own acts as morally wrong and unjustifiable. At the same time, Mr. Minassian noted there were

fringe groups on the internet where people would be praising him and cheering him on or maybe joke about it if they were immature teenagers.

Mr. Minassian indicated he had not had any access to the internet since his arrest. He stated he was aware an Incel forum on Reddit had been shut down and that there had been a brief mention by the Crown Attorney in court that he now had "revered" status in certain internet groups.

Mr. Minassian noted Elliot Rodger was the first mass killer who had a manifesto and fell into the same category as "me…an isolated, lonely, young male." He read the 100-plus page manifesto multiple times. "He stood out so much more than all the other shooters in my mind…I just fixated on him more." Mr. Minassian stated, "I was awed by the fact that the entire world knew about him because of what he did. He wrote in his manifesto that he did not want to rot in obscurity." He noted he shared that desire to avoid rotting in obscurity, being forgotten.

Mr. Minassian acknowledged that the Incel ideology did appeal to him. "I was a bit jealous…I knew that attractive girls preferred guys who were bigger, physically attractive and had a more aggressive personality, than guys with a more passive personality." Mr. Minassian noted he did not experience the "24 hour rage that he did [Rodger] but it did influence me a little bit." He stated he knew the Incel ideology was not 100% accurate but described it as true to a "certain extent…most girls do prefer guys who are nice but who are confident as well."

Mr. Minassian stated with the police, he was thinking beforehand about how to prepare himself. He was thinking about the Incel ideology as a way of "forcing myself into the mindset…so that I don't chicken out at the last minute." "I was thinking negatively on purpose just to make myself do it" [even though he knew it was not completely accurate]. He agreed he was using this [the ideology] to "rev" himself up. He stated, "But I also wanted to want to do it…I was trying to push out all thoughts of trying to talk myself out of it." Mr. Minassian indicated the Incel ideology provided the reason and he wanted to post something on the internet—

> "Something simple that was easy to say, a catchphrase…bear in my mind, I was expecting to die … and that the media would pick up on this…the most important words in that post were 4chan, Incel and Elliot Rodger…because 4chan gives you that identity, says that I am with them, Incel because it indicates you are complaining about virginity and Elliot Rodger…I am basically using his name to boost my name. It is kind of like working at a company and your boss is really famous, some people might brag about working for him…[to boost their fame]."

Mr. Minassian stated he decided on using a truck ultimately as a result of reading about similar attacks in Europe where people had used large trucks to kill a large

number of people in a short time; he believed this would be the most effective and most efficient manner apart from having a gun [which he rejected due to the reasons he noted earlier]. Mr. Minassian made the decision to use a truck at the end of March; he booked the truck at the beginning of April [possibly April 3rd]. He picked the actual date [April 23rd] because that was the day he would have completed all his school assignments.

Mr. Minassian noted he looked up the rental address on Google Maps and worked out how he would he get there. He determined when he would have to wake up and how long it would take to get there. He was still doing his homework but was spending most of his time thinking about where the major intersections were in Toronto with a lot of pedestrians, using Google streetview to determine this. He was also trying to see if there were any obstructions—e.g. the sidewalk was too narrow to drive on and hit people. After picking Yonge St specifically, he then worked out on Google Maps how to get there. He did not travel to Yonge Street before the attack to plan the route in person, stating it would have taken too much time and he did not want to make his parents suspicious. Mr. Minassian was also planning what to post on Facebook and when to post it. He stated he first thought about whom to model himself after, including Elliot Rodger and the Columbine Shooters [including using a phrase attributed to those shooters—"All jocks stand up will get the guys in the white caps."] Mr. Minassian had read a lot about the Columbine and Virginia Tech shootings. He stated he eventually decided on an Elliot Rodger reference because he was more recent, had more media coverage and "a lot more notoriety than the guys who came after him." He stated he made this decision two to three days before he picked up the van. Mr. Minassian decided to post on Facebook through his mobile app but stated he only did so after hitting victims. He wrote the post in the van but noted he did not send it until he had finished hitting people with the van.

Mr. Minassian also said he was planning how to get the police to kill him and that this was very important. He thought about bringing a toy gun or a knife but was worried about being security checked at the car rental agency. Mr. Minassian stated he remembered two weeks before the incident searching on the internet for "cops shoot man wallet". He viewed a video from the United States showing a man accidentally shot by police for holding his wallet [which was mistaken for a weapon]. He was particularly interested in trying to mimic the man's body movements which led to police shooting him. He also thought about physically charging a police officer but rejected this as "too risky…what if he just beats me down instead?"

Mr. Minassian did not recall any other planning for the incident. When cued about his parents, he noted he lied to them about meeting a friend on the day of the offense at a Starbucks near the rental store. He told them about this meeting one week beforehand; his father offered to drive him that morning.

Mr. Minassian noted he made no plans to communicate his intentions to his parents (a note, etc.) because "I knew they would see it on the news." He stated it never "crossed my mind" to leave a note for his parents. "Maybe because it wasn't an actual suicide…it was like killing people." Mr. Minassian knew his parents would be very disappointed but "I wanted to do it so badly anyways…I had already made up my mind to do it and I had nothing if I didn't do it." He described this as "a sense of failure, like I can't advance in life…I was worried I wouldn't get anywhere."

Mr. Minassian also noted that beyond becoming notorious, famous, or infamous, if he were dead he wouldn't have to put in any effort anymore. He noted he never asked himself what would happen if he did not commit the offenses. "I wanted to do it and I needed a label so people would understand…I was a little sad about not having a girlfriend but it was not so crippling that I could not function."

Regarding whether he ever considered hiring a sex worker as a sexual outlet, Mr. Minassian stated, "I was never that upset, that desperate to do that." He also stated he was worried that he might be arrested if he sought out a prostitute.

When asked what he thought should happen to him, Mr. Minassian indicated his awareness of the consequences of being convicted of murder and that he could die in prison due to potentially receiving a long sentence. Mr. Minassian stated, "most people would say that the correct thing would be to put me in prison." He noted, "I don't think I was mentally ill at the time, to be honest" but also indicated that if he had been mentally ill; he might not have noticed it.

Mr. Minassian described his mood as fairly normal and stable in the week before the incident although he was getting himself in a frame of mind to commit the acts. He struggled to articulate his mood in the month beforehand but did describe feeling high energy at the point he decided to do it [end of March]. He denied any change in his sleep [it was "Ok"], including the night before the incident. He reported normal appetite, energy, concentration, [redacted] He noted the primary purpose of dying was to avoid prison rather than being part of suicidal thoughts. Mr. Minassian denied having any specific targets—"I knew it would be random…I did want it to be the couple crowd, like people holding hands." He stated if possible, he would have targeted females over males but did not identify any other preference for his victims.

He did not identify ever having experienced a significant period of depression in the past.

Mr. Minassian denied any experience of delusions of any kind ever or ever having experienced any kind of hallucination. As well, he denied any history of dissociative symptoms. He did report frequent anxiety about exams and social interactions but

stated this might occupy about 30 minutes per day at most. He denied any significant incapacity secondary to same. He denied any panic, agoraphobia, or specific phobias (he would try to avoid dogs as a child). He reported needing things to be organized; he used to wash his hands frequently but denied this was ever crippling. He stated he only washed his hands prior to eating at present. He recalled having an irrational fear of seeing himself infinitely when between two mirrors. As a child he reported spitting frequently due to his thinking maybe he had something dirty in his mouth. He stopped doing this by middle of college. "I eventually forced myself to grow out of it." He stated he had experienced mild tics before, stretching out his arms. He also reported preoccupation with doing things in even numbers or multiples of four; he was able to desist from this by middle of college.

Mr. Minassian denied having experienced any near-death or dangerous situations in the past. He denied any experience of nightmares or flashbacks.

He was never hospitalized for a psychiatric reason prior to his arrest; he never attempted suicide prior to his arrest. He did make a suicide attempt in jail two weeks before his transfer to Hamilton (June or July 2018). He reported attempting to drink bottles of liquid soap—it just resulted in his vomiting. He wanted to die and stated he had been thinking about this for a week; he stated he was completely alone and felt that this would continue for next 60 years (until age 85).

During our second interview, Mr. Minassian reported having posted only on Facebook prior to the offenses. He noted his Facebook setting was open and he believed the media would immediately check his account after the attack. He noted that he intended for the general public (via the media) to see his post. He noted he actually rarely posted on 4chan, Reddit and Encyclopedia Dramatica. He stated that posts on those sites do not require use of a real name; he felt people might not see his post for years if at all if he posted there. Mr. Minassian noted his Facebook post was a message to primarily the "fringe groups"; he thought there was a possibility that someone might be inspired to "copycat" him at some point in the future. When asked, he eventually offered that he thought the Incel ideology accounted for perhaps 50% of the reason/motivation for his conducting the attack [this was in contrast to his earlier estimations, as noted above].

Regarding his lying to the police about contact with Elliot Rodger and other Incel figures, Mr. Minassian stated "I thought I might as well just tell him [the police] some funny story about Elliot Rodger, hyped up…" He felt this would make his story "much more bigger than it actually is" (i.e. saying the attack was related to Incel rather than just some guy who ran people over with a truck/van). He felt this would lead to more media attention, more notoriety and more "chatter on the internet."

On the day of the attack, Mr. Minassian got up around 8am and had breakfast, possibly with his mother. He stated thinking, "this is the last day, I have to do this."

He was also nervous that there might be some snag that would interfere with his committing the act. Mr. Minassian stated he was "both excited and nervous."

He then played some games on the computer before leaving the house around 11am. He did not think he messaged or texted anyone that day. He noted his father insisted on driving him to the Starbucks, and for Mr. Minassian to practice driving (although he had his full G license).

The drive took between 20-30 minutes. They chatted about his upcoming job and a programming framework (his father also worked in software development). Mr. Minassian noted his father was proud of his having secured a job. He said goodbye as "normal" when he arrived at the Starbucks; he noted he had also just offered a normal goodbye to his mother, as he did not want to do anything suspicious.

Mr. Minassian entered the Starbucks and used the toilet; when he came out, he could still see his father's car. He went into the adjoining Chapters store, he texted his father at that time, saying, "You don't have to watch me—he is going to come soon [the friend he was supposedly there to meet]." He stated his father left shortly after that.

Mr. Minassian then walked 30 minutes to get to the rental car site (Ryder). He was thinking to himself, "Ok this is it, this is the final moment." He stated, "once I pick it up, why would I drop it off. I was completely determined to do this."

When asked what would have happened if he had could not proceed that day for any reason, Mr. Minassian said he would have walked back to the Starbucks and then lied to his parents about the meeting. He stated if he was delayed a day, he still would have committed the attack.

When asked what would have happened if he had a flat tire, Mr. Minassian rambled about the logistics involved in getting it fixed. He stated he would have gone ahead that day if the tire could have been fixed.

There were no delays at the rental car company; he was about an hour early for his scheduled pickup. It cost him about $400 for the rental. He had to wait about 20 minutes for the van to be available. Mr. Minassian drove off the lot and drove a short distance before pulling off the road and writing his post, although as noted above, he did not send it at that time. He planned to send the post right before he started the attack. Mr. Minassian stated he had originally planned to start his attack around [redacted] because of the number of people he anticipated would be there. He noted that he wanted the route to be as easy as possible from where he got off the highway—i.e. straight down Yonge Street.

After he got onto Yonge Street, Mr. Minassian noted he was very nervous and was wondering if he would really be able to do it once he got there or would chicken out and just keep driving down the road. However, he stated when he got to Yonge and Finch he then began to feel/think, "I am doing it now…" He stated he thought, "I am going to do it now, I might as well." Mr. Minassian remembered thinking there were enough people, after he saw five people waiting at the light.

Prior to the attack, Mr. Minassian was thinking that if he "got at least 20 [kills] that would be pretty high…"

Mr. Minassian did not recall thinking anything else before he initiated the attack. He described what occurred.

> "I was in the second lane to the right. As soon as the light turned green, I floored it and cut in front of the guy on my right…I remember I immediately got on the sidewalk and I hear a thud, when I hit the initial batch of people, five or so, there was one young man and one young woman in their early 20s…my mind was blank, I couldn't see anything but then I could see the road…then I hit the next group (within five to ten seconds) on the sidewalk. I may have hit 70-80% of them…after this, I was thinking, "did I really do that?"—Everything has really changed, now the police are going to come after me…I knew they would come to arrest me because I have just hit a group of people…and that is against the law. [He clarified that he had always known his intended actions were against the law]."

Mr. Minassian stated it took about two minutes of driving before he hit any more people.

> "I wasn't thinking much, my heart was beating fast…I wanted more [victims], I was going to continue until I was stopped. Then on the next block I see more people, I was able to hit most if not all of them in a straight line with a slight curve [about 5-10 people]…then there was another period of calm where there was no one on the sidewalk…about one minute. I could hear the police sirens in the distance. My mind is focused on the situation at hand…continue driving in a straight line and continue hitting anyone I see. I remember then I see an old woman pushing a walker…I ran over her as well…she was the only one I saw for that huge stretch of the sidewalk. Then I continued to drive for a little bit, another 20-30 seconds and I remember I see a middle-aged couple, about to cross the street, they may or may not have been holding hands. Nevertheless I hit them…one of them must have had a drink in their hand because a drink splashed on my windshield and I couldn't see anything. At that point I was panicking…why can't I see…everything is screwed up [that he would not be able to continue the attack]. I remember at that point, I was worried that I would hit a pole, so I turned left onto the road

and started driving south on the northbound lanes…there weren't any cars there. Then there was an old man who was jaywalking at that time, I hit him as well."

"Then at the next intersection I turned right again and onto the right sidewalk [of the southbound lanes]…I drive forward again until I come to a minor intersection and I turn right and then I slowed down so I can think and get my head straight. There was very low visibility…I just wanted to settle my mind…it was racing…the thing that was most concerning me was the huge splash on my window and that I couldn't see anything…because I could very easily hit a pole, that could affect me, stop me from continuing the attack."

"A few seconds after I slowed down, I remembered to post that message on Facebook. The car was rolling forward at slow speed…I unlocked my phone and pressed send… then I locked my phone and put it back in the cupholder and I have that feeling of satisfaction that I have completed that task [posting the message on Facebook]. At that point, I felt much more satisfied and happier and I continued driving forward…the street ended and I had to turn right or left. I turned left and I remember I kept driving and there were traffic lights and some intersections…I turned left and could hear people honking because I had cut them off. Then I drive a little bit forward and then turn right again to get on the Yonge Street sidewalk. Then as I was driving, I remember I drove over a bench with the left tires…I must have punctured a tire because I remember the van was driving slowly at that time. Then I turned right and I could hear the sirens getting louder. I could see a police car pull over and stop…then I remember he said, 'Get out of the car slowly or come out of the car with your hands in the air.' At that point, I grabbed the wallet out of the coffee holder and got out, I'm holding the wallet pointing it like I am pointing a gun at him and I say 'I have a gun.' He ignored what I said and tells me to put my hands in the air…I ignore and just stand there for a few seconds, hoping he will just shoot me. I remember telling him 'kill me, shoot me in the head.' He said 'no'… I brought my wallet to my hip and then brought it up quickly again trying to make it look like I am drawing my gun…then I put my left hand in my pocket and pulled it out with my hand shaped like a gun. I did that a few times…the cop had absolutely no reaction to that. Then at that point, he put his gun away and drew out his nightstick and shouted 'get on the ground or I am going to hurt'. At that point I knew it was over, I knew he wasn't going to shoot me. I threw the wallet down, turned around and put hands above my head. I remember he told me to slowly get down on my knees and then get on the ground and I complied with that. He told me to put my hands behind my back and I complied. Then he handcuffed me. At that point, he was physically on top of me, I couldn't move around. Once the other officers arrived, they pulled me to my feet and took me to the police car."

Mr. Minassian was frisked and was informed of his rights and that he was being arrested for attempted murder but that this could be updated. They put him in the cruiser and drove to the police station; he did not say anything during the ride. During his booking, Mr. Minassian recalled answering the yes/no questions but also recalled saying, "I am a murderous piece of shit"— "It was just something I wanted to say, for dramatic effect." He was in a cell for several hours before being interviewed by the police and giving his statement.

Mr. Minassian was aware that his statement was released to the media in the fall of 2019 and was "curious to see how it would be portrayed by the media." He said he saw portions of the video shown on TV and was not surprised the media focused on the part where he talked about being rejected by a girl at a party in 2013 [a lie he told the police]. Mr. Minassian felt this made sense. "To be honest, I was a little bit happy about the attention…that's why I did that, specifically for the notoriety…that somebody is going to make a big deal about this, just like they did for Elliot Rodger."

When asked a hypothetical involving a scenario where his name was never released to the public after the attack and how he would feel, Mr. Minassian stated, "I would feel very disappointed [because] I would not get the credit for this, no one would know I had done it."

When asked about his feelings both now and at the time about the attack, Mr. Minassian stated, "I do feel satisfied …the fact that I had achieved 10 kills…that I had actually managed to do it and that I hadn't chickened out on it."

When asked about the impact on others, Mr. Minassian stated he knew that the families of the victims and the surviving victims were "very upset about this." When asked what he would say to them, he stated, "to be honest, I don't know what I would say to them…if I was in a courtroom, I might apologize." When asked if he actually felt sorry for what he did, he stated, "I don't know, it is kind of hard to answer that question." When asked if he had any regrets about what he did, Mr. Minassian stated, "I would be lying if I said I did." When asked if he could do it over, was there anything he would change, he noted, "I would probably think about ways to get a higher kill count."

When asked about the impact of his actions on anyone else, Mr. Minassian reported feeling guilty after hearing his father say on TV that he was upset and did not imagine his son could do anything like this. At the same time, he had anticipated that someone close to him would likely make comments to the police and that his parents would be saddened/disappointed by his actions.

When asked if had posted anything about a beta uprising, he did not recall this. As well, he denied anyone knew about his plan before the attack and also denied that

anyone had encouraged him or egged him on to complete an attack. Mr. Minassian did agree that he had read other people's posts about committing attacks and was interested in what tactics would lead to the highest kill counts, gain the most media attention and what type of attack would gain the most sympathy from Incel followers and the whole 4chan crowd in general.

When asked how he felt about having killed more people than Elliot Rodger (who killed six), Mr. Minassian remembered being happy when he learned he had killed ten and saw this as his carrying the torch for Elliot Rodger but "now it is burning even brighter." At the same time, Mr. Minassian acknowledged that nothing was likely to change based on his attack (i.e. women would not be any more likely to date men like him) and stated his attack was more about "getting back at people in general" and gaining "notoriety, becoming famous for committing these acts." "If I am going to fail anyways, I might as well do this anyway."

When asked if there was any sexual component to the attacks (i.e. whether he was sexually aroused by the idea of the attack or had ever masturbated to thoughts of committing a mass murder), Mr. Minassian denied this.

When asked if he thought about other ways of achieving a mass killing, Mr. Minassian noted he had thought about other methods but did not focus on things which he did not feel he could do—"if it seemed too unrealistic to me…the most I thought about was using a gun, shooting up a school or college campus…[but] I knew it was hard to obtain a gun legally in Canada and I didn't want to take the risk." Mr. Minassian also thought about using a knife, but was not sure he could get a high kill count in this manner and was concerned he could be tackled by someone, stopping his attack.

Regarding the Incel philosophy, Mr. Minassian noted he never came up with own philosophy. He noted he was using Elliot Rodger's name to get "more infamy." He stated that he would be a little disappointed if people began to forget about him.

Mr. Minassian noted when he saw news about him in the media, he stated, "I would be lying if I didn't feel a little proud when I see that…" He noted that jail was restrictive but fairly clean and he had "certain privileges, including access to a TV…" He has never been exposed to any physical violence. When comparing it to his previous life, he again noted it was more restrictive in jail, "…because I have been used to it for a year and half, there are good days and bad days…" Mr. Minassian noted he had been treated well.

COLLATERAL INFORMATION

Information relating to the index offenses (police interview with Mr. Minassian, interviews of Mr. Minassian by other clinicians/assessors, witness statements, etc.)

are available for review in Appendix B – Chronological Synopsis. This includes a detailed account of Mr. Minassian's interview with police officers post-offense on April 23, 2018. Overall, Mr. Minassian has provided a very similar account of his actions at the material time, with some relatively minor differences, some of which have been addressed above under Self-Report.

In addition to my review of the content of that interview, I also made notes relating to his presentation in the video of that interview. During the course of the interview, Mr. Minassian was dressed in a white one-piece coverall. He was able to respond clearly and directly to questions and appeared to have a good understanding of the questions being asked. He demonstrated a good/relatively sophisticated understanding of the legal concepts involved in the caution with which he was provided. There was no evidence of any stereotypies during the interview nor any evidence of responding to internal stimuli. He described his actions during the index offenses in a very matter-of-fact manner, with minimal affect.

Psychiatric Reports:

Mr. Minassian has been the subjects of reports to date authored by Dr. Mamak, Dr. Chauhan and Dr. Bradford. I also had an opportunity to review their interview notes in addition to the reports, although that information was in keeping with the content of the reports.

Dr. Wright has already commented extensively on the report of Dr. Mamak and I will not further review it below but rather would refer the reader to Dr. Wright's report in this regard.

Dr. Chauhan authored a report dated October 12, 2018 (V56), which is already before the Court. I also reviewed her notes (V57) relating to Mr. Minassian. Overall, the information obtained and reported was similar to that obtained by this writer and other assessors. Dr. Chauhan diagnosed Mr. Minassian as suffering from Autism Spectrum Disorder (ASD); she viewed his tic-like behaviour as more likely a function of obsessive-compulsive disorder (OCD), rather than Tourette's Disorder. She also opined that he demonstrated significant deficits in his capacity for appreciating others' thoughts and emotional experiences and how his behaviours impacted on others. Dr. Chauhan stated, "This lends him to have significant impairment in his moral reasoning."

Dr. Bradford authored a provisional report dated January 17, 2020 (V59), which is also before the Court. I also reviewed his handwritten notes (V60). Once again, the information obtained by Dr. Bradford was largely in keeping with information this writer and other assessors obtained.

Briefly, Dr. Bradford diagnosed Mr. Minassian as suffering from Autism Spectrum Disorder. Regarding criminal responsibility, Dr. Bradford noted that Mr. Minassian did not fit the "usual forensic psychiatric profile of a person coming within the terms of Section 16(1) of the Criminal Code of Canada." He indicated there was no evidence of his being psychotic prior to, during, or after, the alleged offenses. Dr. Bradford noted that typically, diagnoses involving psychosis (e.g. schizophrenia, bipolar disorder, major depression with psychosis, etc.) were required to be present as the "mental disorder" prior to assessing the impact of the mental disorder in relation to the Section 16(1) criteria.

Dr. Bradford went on to note that based on accepted practice and in his opinion, Mr. Minassian would not be eligible for a defense of Not Criminally Responsible from a forensic perspective.

However, Dr. Bradford then went on to offer his thinking regarding "the various aspects of Autism Spectrum Disorder which may be open for interpretation from a legal standpoint for inclusion under Section 16(1) of the Criminal Code of Canada." (pages 36-39). At page 38, he noted:

> "If individuals with Autism Spectrum Disorder, and this may be more specifically related to high functioning Autism Spectrum Disorder (Asperger's Syndrome), have specific neural deficits relating empathy, theory of mind and moral reasoning, it is possible that they should be considered as candidates for a not criminally responsible defense under Section 16(1) of the Criminal Code of Canada. In theory the neural deficits could impair their capacity on the second branch of Section 16(1) [knowledge of the wrongfulness of one's actions/omissions] and may bring them within the terms of a finding of not criminally responsible on the basis of Mental Disorder on a balance of probabilities."

Dr. Bradford later indicated his review of the literature indicated individuals with ASD clearly show impairment in moral reasoning for more complex scenarios, showing moral reasoning that is "more concrete and categories of right or wrong and social rules are applied without flexibility." (page 39)

Dr. Bradford then reviewed Mr. Minassian's account of the alleged offenses when interviewed by police officers, as already noted above, noting at various points that Mr. Minassian shows no emotion and that his response(s) are lacking in empathy. At one point (page 41), he noted Mr. Minassian referred to his using a van as a weapon with the result, "meaning the vehicle collided with ah several pedestrians some of whom are no longer alive as a result." Dr. Bradford indicated, "The statement clearly showed a profound lack of empathy but at the same time clearly showed that he knew exactly what he was doing and what the intended outcome was of his action." Dr. Bradford later noted Mr. Minassian described "full cognitive awareness of what

he was doing and what was happening at the time, driving down Yonge Street and deliberately driving into pedestrians." (page 43) He also noted that Mr. Minassian had lied at times during his statement to the police and that it appeared he had done so to "sensationalise [sic] the account."

Finally, Dr. Bradford wrote:

> "In summary, Mr. Minassian clearly suffers from Autism Spectrum Disorder. In my opinion, he does not meet the conventional forensic psychiatric opinion for a finding of not criminally responsible due to a mental disorder, [sic] Ultimately, whether or not Mr. Minassian should be found not criminally responsible due to a mental disorder is a legal determination for the Court to make. In my view, the only basis for this finding would be if Mr. Minassian was found to be unable to appreciate the moral wrongfulness of his conduct. As outlined above, in terms of Autism Spectrum Disorder and the type and degree of deficits associated with it, there is a credible basis for this to be considered."

RESULTS OF PSYCHOLOGICAL TESTING

As noted above, I have appended the full report of Dr. Wright dated March 20, 2020. This report includes a discussion of the clinical findings and report of Dr. Mamak. I would direct the reader to Dr. Wright's full report; however, I have excerpted his Summary of Clinical Findings below as follows:

> *Mr. Minassian clearly has a longstanding diagnosis of ASD with related preoccupations, struggles with social skills and awareness, obsessive characteristics and gravitation toward math and logic. He is very clearly on the high functioning end of this diagnosis as many have limited or no language, severely impaired social presentation and require a high level of supervision and oversight. His history and testing indicate that he was able to maintain friendships with like-minded males, complete high school and a college program, and score at or above average on virtually all intellectual measures he faced. This indicates that although his presentation clearly points to an ASD symptom set, this has not limited his ability to master most tasks of adult living, save and except feeling socially accepted and obtaining an intimate partner. Dr. Mamak and my testing did uncover some weaknesses in recognizing social/emotional non-verbal cues however overall, he exhibited many cognitive strengths. Although I would agree that at times he exhibited concrete thinking to a degree, I cannot point to, in my assessment, any particular social concept or expectation that he could not understand on an intellectual level. This appears similar to other assessors who do not describe any specific social*

concept that Mr. Minassian does not appear able to understand, other than the negative emotional impact his crimes had on the victims and their families.

Mr. Minassian also endorsed historical school shooting fantasies and has a number of attributes associated with school shooters in the literature. These include: described by peers as loner, history of being bullied, engaging in a lot of fantasy, being preoccupied with weapons, attending army training, feeling like a social outcast etc. Under the Meloy 2001 classification system he would be a "classroom avenger". This subgroup is more likely to be engrossed in violent fantasies, ponder the event prior to the shooting and more likely view bullying as a major factor in their motives. This subgroup is more likely to suffer from some degree of depression and struggle in bonding with others. Their self-image likely vacillates between self-reproach and self-aggrandizing. Lengthy criminal histories are rare in this group but nihilistic worldviews are common. Classroom avengers are the most likely group to copycat a widely publicised school shooting, according to some authors due to their fantasy orientation making them more likely to "escape" into fantasy involving the famous event fuelling the urge to act on their own resentment. To me it is important to note that these offenders have been described as describing their offences in a detached and "chilling" manner. As such there is a risk that Mr. Minassian's lack of empathy for the victims of his offences flows not simply from his ASD but quite possibly from factors associated with a school shooting constellation as well.

Mr. Minassian appears to have struggled with ASD symptoms, feeling lonely and not socially fulfilled, feeling overall ineffectual relative to his cognitive potential and potentially disappointing himself and his parents if his life trajectory continued. In high school, he seems to have viewed his fear of girls and girls seeming to not be interested in him as unfair in addition to viewing what he perceived as ostracism in general as unfair. This led to school shooting vengeance fantasies, which he allegedly did not engage in simply because he could not access a weapon, but one could argue that he was simply not sufficiently motivated to get a weapon of some sort and engage in the act. Unlike many school shooters, he did not seek an accomplice, apparently share his views and try to find like-minded peers, possibly knowing that his friends would not be of like mind. He did find like-minded people on the internet which appeared to fuel his homicidal thought process and provide a sense of potential personal accomplishment for mass murder, which he then fantasized about leading up to the index offences.

While I would agree that Mr. Minassian does not appear to have full emotionally based empathy for his victims, before during or after the offences, this can occur due to multiple factors as noted above. Given his statements, cognitive functioning results and history it is clear that he knew and knows his

actions were wrong and given his cognitive style he very clearly also understood his actions were wrong. It is not clear to me what interpersonal concepts he is truly incapable of understanding given his cognitive abilities and drive to understand and analyze such issues. As such it is very difficult to support a section 16 defence in this case as appreciating wrongfulness is far too high a standard for wrongfulness given the multiple possible factors that can interfere with this such as rage, personality characteristics, cognitive style etc.

I can certainly appreciate the pull toward hoping for some form of leniency for this likeably earnest man. The angry school shooter/angry mass murderer, in all fairness, does not capture all that contributed to this crime in my opinion. Unlike Elliott Rodger and other non-psychotic murderers I have assessed, Mr. Minassian does not exhibit a marked history of narcissistic wounds, when discussing past perceived mistreatment the anger is not easily brought to the surface and there is not a strong sense of entitlement. In simplest terms although he has some impetus on the drive side of the mass murder offence pattern, his level of drive did not appear in keeping with his actions. Fuelling by incel reading and his ASD symptoms likely eroded the control side of the equation leading to this tragedy.

FUNCTIONAL ENQUIRY

Mood Symptoms

Mr. Minassian described his current mood as "stable" and denied any thoughts of wanting to hurt himself now or anyone else. He denied any significant neurovegetative disturbance, endorsing normal appetite, energy, concentration, and libido.

Psychotic Symptoms

Mr. Minassian denied ever having experienced any paranoia, religiosity, grandiosity, thought insertion, thought withdrawal, thought broadcasting or delusions of reference. He denied ever having experienced hallucinations in any of the five senses (auditory, visual, tactile, gustatory or olfactory).

Anxiety Symptoms

Mr. Minassian denied any generalized anxiety, panic attacks, or agoraphobia. He did report social phobia involving a fear of saying the wrong thing and being rejected, stating he had "always felt like that." He believed it had prevented him from making friends although he was still able to go through job interviews; he felt it had prevented him from socializing with co-workers. He also reported a fear of dogs but this did not lead to much, if any, avoidant behaviour.

Please see his self-report regarding the Index Offenses for further details on obsessive-compulsive/post-traumatic stress disorder symptoms.

Somatic Symptoms

Mr. Minassian denied any excessive somatic concerns.

Dissociative Symptoms

Mr. Minassian denied any history of dissociation, depersonalization or derealization.

MENTAL STATUS EXAMINATION

Mr. Minassian presented as a 27 year-old male who looked approximately his stated age. He was appropriately dressed given the circumstances and his hygiene appeared good. His hair was shorn close to the scalp and he had a 5 o'clock facial shadow, which he attributed to not having ready access to a razor. He intermittently licked his lips during the interviews and when asked about this, advised it was due to being thirsty/feeling dry. He described his mood as "stable"; his affect was limited in range and incongruent with his thought content. He described his actions in a flat manner and had difficulty articulating any emotions. His thought form was logical but overinclusive. Thought content did not reveal any suicidal or violent ideations or any delusions. He did endorse intermittent anxiety. Perceptually, there was no indication of his responding to any internal stimuli and he denied all hallucinations. He appeared to be grossly cognitively intact. He demonstrated limited insight and poor social judgment.

PSYCHIATRIC OPINIONS AND RECOMMENDATIONS

1. **Certifiability**

   Mr. Minassian was not, at the time of the assessment, certifiable for involuntary admission, according to the criteria of the Mental Health Act of Ontario.

2. **Competence**

   Mr. Minassian presented as competent to consent to, or refuse, treatment. There were no issues related to financial competence.

3. **Duty to Warn**

There was no specific duty to warn present at the time of this assessment. At the same time, he has made statements in the past (e.g. to Dr. Bradford), suggesting that if he were released, he would get a car and continue his attack.

4. **Biological predisposition to offense**

No acute or chronic medical illnesses were identified that would explain or provide a cause for my psychiatric findings.

5. **Psychiatric Diagnosis**

Mr. Minassian does not suffer from any major mental illness such as schizophrenia, bipolar disorder or major depressive disorder. As well, there is no evidence of his suffering from a substance use disorder or a personality disorder.

Multiple assessors in the past and since the current alleged offenses have diagnosed Mr. Minassian with Autism Spectrum Disorder, usually specifically noting his presentation was most akin to a previously available diagnostic term, Asperger's Syndrome or high-functioning Autism. I concur with this diagnosis.

I also note that that Mr. Minassian has been diagnosed in the past with a Tic Disorder although this does not form part of my formulation regarding criminal responsibility.

According to DSM-5 (pages 50-59), Autism Spectrum Disorder is characterized by persistent impairment in reciprocal social communication and social interaction, and restricted, repetitive patterns of behaviour, interests and activities. The symptoms are present from early childhood and limit or impair everyday functioning. Symptoms are usually evident in the developmental period but intervention, compensation and supports may mask the difficulties in some contexts. Manifestations of the disorder also vary greatly depending on the severity of the condition, developmental level and chronological age, hence use of the term "Spectrum". The disorder includes other disorders previously referred to as early infantile autism, childhood autism, Asperger's Disorder, etc.

The impairments are pervasive, sustained and persist into adulthood; adults who have developed compensation strategies for some social challenges still struggle in novel or unsupported situations and suffer from the effort and anxiety of consciously calculating what is socially intuitive for most individuals.

Many individuals with Autism Spectrum Disorder have poor adult psychosocial functioning as indexed by measures such as independent living and gainful employment.

The severity of Autism Spectrum Disorders is described as being between Level 1 to 3, with higher levels of severity (e.g. Level 3) requiring very substantial support, with the presence of much more severe symptoms.

As noted above, I concur with the diagnosis of Autism Spectrum Disorder but would identify it as being of Level 1 severity, where support is required. As well, Mr. Minassian's Autism Spectrum Disorder is characterized as being without accompanying intellectual impairment or language impairment. This form of Autism Spectrum Disorder is associated with the best outcome over time.

6. Assessment of Criminal Responsibility

In my opinion, Mr. Minassian does not suffer from a major mental illness, for example schizophrenia or schizoaffective disorder, that could conceivably rob him of the capacity to appreciate the nature and quality of his acts or omissions, or to know their wrongfulness**.**

Mr. Minassian has been diagnosed by previous assessors and by myself as primarily suffering from Autism Spectrum Disorder, or what used to be referred to as Asperger's Disorder. I am not aware of any cases in Canada where a diagnosis of Autism Spectrum Disorder (Asperger's) alone has been accepted as a mental disorder that could rob an individual of the capacity to appreciate the nature and quality of his acts or omissions or to know the wrongfulness of those acts or omissions.

Even if the court was to accept his diagnosis as representing a mental disorder for the purpose of Section 16(1) of the *Criminal Code of Canada* that would not end the analysis.

There would still need to be evidence that symptoms of the disorder present at the time of the offenses robbed him of either the capacity to appreciate the nature and quality of his acts or omissions, or to know their wrongfulness**.**

With respect to the first branch of this test (capacity to appreciate the nature and quality of his acts or omissions), in my opinion, there is little to no information suggestive of Mr. Minassian being rendered incapable of appreciating the nature and quality of his actions at the material time. Rather, the information available to me points to a great deal of planning on Mr. Minassian's part regarding the alleged offenses and that he was specifically able

to appreciate both the nature of his actions (driving a vehicle into pedestrians) and the quality of his actions (insofar as he has repeatedly indicated in interviews that he intended to kill as many people as possible by doing so).

Regarding the second branch of the test (capacity to know the wrongfulness of his actions or omissions), once again there is little to no information to suggest such an incapacity in this case.

In this regard, Mr. Minassian has clearly indicated his awareness that his actions in the alleged offenses were both illegal (he was aware he would likely spend the rest of his life in jail if he did not die at the time of the alleged offenses) and morally wrong, insofar as he has indicated he knew at the time of the offenses that most people in the community would find his actions "despicable" and "wrong". In fact, that knowledge formed a crucial part of the motive behind his actions—i.e. that through his alleged actions, he hoped to become notorious/infamous.

I am aware of Dr. Bradford's opinion. While Dr. Bradford acknowledged in his report that Mr. Minassian would not appear to qualify for a defense of not criminally responsible in a conventional manner, he also wrote at length regarding the impact of what he referred to as a lack of cognitive empathy/deficit in moral reasoning on the part of Mr. Minassian, secondary to his ASD, and how that could possibly form the basis for an NCR finding.

With respect to Dr. Bradford, I do not agree, at least insofar as Mr. Minassian is concerned. While I agree that Mr. Minassian does not experience empathy in the same manner as the average person likely at least in part due to his ASD, lack of empathy, cognitive or otherwise, is not specific to ASD. It is also a feature/symptom of other disorders in the Diagnostic and Statistical Manual, 5th Edition (DSM5), including, notably, narcissistic personality disorder and antisocial personality disorder. Neither of these disorders would typically be seen as representing mental disorders for the purpose of a Section 16(1) defense, from a psychiatric perspective but they also relate to individuals who are capable of knowing intellectually that others will view their actions as morally wrong/blameworthy but whose actions are driven by other considerations (e.g. being egocentric and indifferent to the effects of their actions on others).

As well, in the case of Mr. Minassian, the "deficits" in his moral reasoning do not lead a misunderstanding of how others will view his actions. As noted above, Mr. Minassian's stated motivation for the alleged offenses included a desire to infamous/notorious—i.e. at some level, he "appreciates" that his actions will be seen as "despicable" by others. This is in fact required for him to achieve the desired effect of becoming infamous/notorious.

Dr. Bradford also indicated in his report (page 44) that there was an association between Autism Spectrum Disorders and extreme violence, in particular mass murder and serial murder, citing Allely et al, 2017. While that article does indicate that individuals with ASD appear to be over-represented amongst mass shooters, the very significant majority of those mass shooters did not show any significant indication of ASD. As well, the authors quite rightly noted that prior research indicated that individuals with ASD appeared no more likely than the general population to engage in violent crime and in fact were at higher risk of becoming a victim of violent crime than to be the perpetrator.

I do agree that his diagnosis of ASD likely played a role in Mr. Minassian's alleged actions in a number of ways, including his difficulty in social interactions, his identification with other mass murderers/school shooters who described being humiliated/bullied and alienated, his tendency to focus on narrow interests and relating to his perceived rejection by women and identification with the Incel ideology. I do note that Mr. Minassian downplayed his identification with the Incel ideology during our interviews, indicating that he ultimately decided to reference Incel (and Elliot Rodger in particular) rather than school shooters because of his perception that Elliot Rodger was more recent, would generate more internet chatter and greater notoriety—i.e. it was a calculated decision made to maximize his infamy rather than being simply an expression of devotion to the Incel ideology.

However, overall, from a psychiatric perspective and on the balance of probabilities, in my view, none of the thresholds/branches relating to a finding of not criminally responsible due a mental disorder would appear to be met in this case.

7. **Treatment Recommendations**

At such time as this individual is released to the community pending the continuation and completion of his legal affairs, I would make the following recommendations. Mr. Minassian should be subject to psychiatric follow-up in perpetuity. He may benefit from accessing rehabilitative programming available at many of the major psychiatric centres.

Should Mr. Minassian be found not criminally responsible due to a mental disorder, I can advise that it is my opinion that he does represent a significant threat to the community. I would recommend that no Disposition be made and that the matter be referred to the Ontario Review Board for determination in this regard.

I trust this information is of assistance to Your Honour and to the Court. If there are any questions, I would be pleased to try to answer them; I am available by cellular phone at [redacted].

Respectfully submitted,

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